

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ALLIANCE FOR OPEN SOCIETY INTERNATIONAL, :
INC., OPEN SOCIETY INSTITUTE, and PATHFINDER :
INTERNATIONAL, :

Plaintiffs, :

05 Civ. 8209 (VM) :

v. :

UNITED STATES AGENCY FOR INTERNATIONAL :
DEVELOPMENT and ANDREW S. NATSIOS, in his :
Official Capacity as Administrator of the United States :
Agency for International Development, and his successors; :

UNITED STATES DEPARTMENT OF HEALTH AND :
HUMAN SERVICES and MICHAEL O. LEAVITT, in his :
official capacity as Secretary of the U.S. Department of :
Health and Human Services, and his successors; and :

UNITED STATES CENTERS FOR DISEASE CONTROL :
AND PREVENTION and JULIE LOUISE GERBERDING, :
in her official capacity as Director of the U.S. Centers for :
Disease Control and Prevention, and her successors; :

Defendants. :
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DECLARATION OF RICHARD E. ROSBERGER

RICHARD E. ROSBERGER, pursuant to 28 U.S.C. § 1746, declares the following
under penalty of perjury:

1. I am an Assistant United States Attorney for the Southern District of New
York, counsel for Defendants in the above-captioned action. I respectfully submit this declaration
in opposition to Plaintiffs' motions for a preliminary injunction and for a temporary restraining
order.

2. Attached as Exhibit A hereto is a true and correct copy of the Remarks

on Signing the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003.

3. Attached as Exhibit B hereto is a true and correct copy of a Press Release, Trafficking in Persons National Security Presidential Directive, dated February 25, 2003.

4. Attached as Exhibit C hereto is a true and correct copy of a USAID Acquisition & Assistance Policy Directive (AAPD) 05-04, dated June 9, 2005.

5. Attached as Exhibit D is a true and correct copy of a letter from Christopher D. Crowley, Mission Director, USAID, to Galina Karmanova, Alliance for Open Society International, Inc., dated October 7, 2005.


6. Attached as Exhibit E is a true and correct copy of 70 F.R. 29759 (May 24, 2005).

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
January 4, 2006

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for Defendants

By:



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